

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL STUDY SESSION  
October 23, 2003**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., October 23, 2003, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andy Kunasek, Vice Chairman, District 3; Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present: Norma Risch, Deputy Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

**REGIONAL TRANSPORTATION PLAN**

Discussion regarding the Maricopa Association of Government's Regional Transportation Plan's policies concerning a five-year review and audit of completed and planned projects. The use of industry standard performance measures and a process for potential Plan amendments will be presented. (ADM2012-001)

Diane Sikokis, Director, Government Relations  
Rick Bohan, Legislative Liaison, Government Relations  
Rip Wilson, contract lobbyist  
John Kaite, contract lobbyist  
Tom Buick, Chief Engineer and Director of MCDOT

Chairman Brock introduced guests present at the meeting, Kristen Collins from the City of Avondale and Tom Remos from MAG (Maricopa Association of Governments).

Diane Sikokis said that when the general session of the 2004 Legislature opens on January 12, 2004, the Regional Transportation Plan will be one of the major issues taken up at the outset. There are varying opinions on what should or should not be included in the plan but she indicated that some issues had evolved since the Board sent their last letter to the TPC on September 17, 2003.

Rick Bohan distributed the following handouts for discussion:

1. Formal BOS proposal adopted September 17, 2003
2. BOS positions adopted by MAG TPC
3. Draft MAG accountability provisions

He said that the next TPC meeting would be held on November 12, 2003, and reported on outstanding issues needing discussion and direction from the Board prior to that meeting, as follows:

While consensus has been reached on the need for an independent evaluation of the performance of the RTP on preceding, as well as upcoming, five-year audit periods, discussion was still ongoing on performance measures to be included in the audit, how to handle cost overruns, what happens when the federal matching funds end and whether or not to present the audit results in a public meeting.

Discussion ensued with the consensus being that the audit should cover a full performance of the implemented projects and evaluate those projects within the balance of the RTP's time frame. In addition to evaluating the implementation of the Transportation Plan, the audit should examine the performance of the various projects in relieving congestion and improving mobility within the general corridor of the project. It should cover those modes that are operational from the time the extension of the sales tax begins. It was felt that the scope of services for the audit should be developed in consultation with Maricopa County, units of local government and Native American Indian communities in the County.

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When completed the independent consultant appointed by the Auditor General would review the results and make recommendations to the TPC. At the conclusion of the TPC's review that committee would make its recommendations to the Regional Planning Agency. Discussion ensued on distributing the results of the audits and it was suggested that the results and the recommendations of the TPC and Regional Planning Agency should be provided to the Regional Public Transportation Authority (RPTA), Citizen's Transportation Oversight Committee (CTOC), the Arizona Department of Transportation (ADOT), the Speaker of the House of Representatives, President of the Senate and the Governor. With regards to releasing it to the public, the consensus was that the Executive Summary of the report should be published in "at least one major general publication newspaper."

Strong regional Firewalls are a major concern of the Supervisors, and while the RTP has agreed with the County's position that modal firewalls should be included in the legislative language, the MAG proposal only assures that corridors are addressed but is ambiguous as to redirecting any savings from projects coming in under-budget. Because of what is now considered by many as disastrous funding changes and redirection of funds in the 1985 half-cent tax, which resulted in widespread neglect to some areas, the Board strongly supports that any and all funds saved from projects coming in under budget or from any amendments approved for the Plan must stay and be used in the same region.

In discussing instigation of a process for making major and minor amendments to the Transportation Plan, concurrence was reached on several issues, as follows:

- A major amendment to the RTP must be approved by a three-quarter (3/4) vote of the TPC membership. A major amendment includes, but is not limited to, the addition or deletion of a freeway, expressway or high capacity transit project or any other adjustment that would change the overall modal funding percentages in the RTP.
- Proposed major amendments that change the project identified in the RTP shall not be considered, unless no reasonable options are available to relieve congestion and improve mobility in the general area addressed by the project. Amendments that include additions or improvements to HOV (High Occupancy Vehicle) facilities, Park and Ride lots and transit related expenditures associated with streets and highways may be considered as transit improvements and part of the Public Transportation Fund.
- The TPC may recommend that the proposed major amendment or a further modification to the amendment be recommended to the Regional Council for an Air Quality Conformity Analysis on considering the written recommendations from the agencies in the consultation process and any information gleaned from a public hearing.
- If the amendment is approved by the Regional Council for an Air Quality Conformity Analysis, and the emissions from the amendment do not cause the RTP to exceed the approved air quality budget, the Regional Council may amend the RTP to include the amendment. This must be approved by the TPC by a  $\frac{3}{4}$  vote of the membership. The TPC currently has 22 members.

It was felt that the above accountability provisions be suggested for inclusion in the authorizing legislation.

Several alternatives were discussed on how, and by whom, business and community members should be appointed to the TPC. All six of the current members were appointed by the MAG Regional Council and

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the County's preference is that this be changed with the possibility of appointees included from the Governor, the Senate President and the Speaker of the House.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following recommendations for presentation at the November 12<sup>th</sup> TPC meeting:

- Require an independent evaluation of the performance of the RTP every five (5) years. (Full audit of implemented projects and evaluation of projects within the balance of the plan time frame.)
- The TPC must review the independent RTP evaluation and may recommend amendments to the RTP based on the independent evaluation.
- A minor amendment may be made through a majority vote by the TPC. (A minor amendment is an adjustment that does not change the overall modal funding percentages in the RTP.)
- A major amendment to the RTP must be approved by a  $\frac{3}{4}$  majority vote of the TPC. (A major amendment includes any of the following: the addition or deletion of a freeway, expressway or high capacity transit project.)
- Proposed major amendments that change the project identified in the RTP shall not be considered, unless no reasonable options are available to relieve congestion and improve mobility in the general area addressed by the project. Amendments that include additions or improvements to High Occupancy Vehicle facilities, park and ride lots and transit related expenditures associated with streets and highways may be considered as transit improvements and part of the Public Transportation Fund.
- Include the above accountability provisions in the authorizing legislation.
- Upon receipt of the completed audit from the Auditor General, MAG shall publish the Auditor General's executive summary of the audit and audit recommendations in a newspaper of general circulation in the County. MAG shall also provide for the presentation of the audit results and recommendations to the public at an appropriate number of public hearings in appropriate locations throughout the County.

**ADJOURN**

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

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Fulton Brock, Chairman of the Board

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Norma Risch, Deputy Clerk of the Board